

5229. Adulteration and misbranding of cider. U. S. * * * v. 15 Barrels of Cider. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7611. I. S. No. 21206-m. S. No. W-99.)

On August 3, 1916, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel and thereafter an amended libel for the seizure and condemnation of 15 barrels of cider, consigned by Jones Bros. & Co., Portland, Oreg., and remaining unsold in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped on July 14, 1916, and transported from the State of Oregon into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "Jones Bros. & Co., Portland, Ore., Pure Sweet Apple Cider."

Adulteration of the article was alleged in the libel for the reason that there had been added to said product a quantity of water in the amount of approximately 50 per cent of the total quantity of said 15 barrels of cider with the effect and result that the quality of said article had been reduced and injuriously affected.

Misbranding was alleged in substance for the reason that the representation and statements contained in said design or label were false, misleading, and untrue in that they gave the impression that the article was pure, sweet apple cider, containing no added foreign substance, when in fact it was not.

On September 20, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*